



Section #1

Patent Docket P1761R1

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Avi J. Ashkenazi et al. Serial No.: 09/603,866 Filed: June 26, 2000 For: METHODS FOR MAKING APO-2 LIGAND USING DIVALENT METAL IONS	Group Art Unit: 1636 Examiner: To Be Assigned
	<p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on</p> <p>September <u>11</u>, 2000 <u>Anna Kan</u> Anna Kan</p>

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This is responsive to the Notice to File Missing Parts - Filing Date Granted dated August 10, 2000. Prior to receiving the Notice to File Missing Parts, Applicants filed the executed Declaration for Patent Application and Power of Attorney with the Patent Office by "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on August 15, 2000. Transmitted herewith are copies of the following documents:

1. Notice to File Missing Parts of Application (PTO Copy)
2. Submission of Declaration
3. Executed Combined Declaration for Patent Application and Power of Attorney
4. Express Mailing Receipt No. EL 599 585 281 US.

At the time of filing the executed Declaration on August 15, 2000, Applicants also requested the \$130.00 surcharge fee be charged to Applicants' deposit account. Accordingly, it is believed no further fees are due in connection with the instant Notice to File Missing Parts. In the event any

additional fees are due in connection with the filing of these documents, the Commissioner is authorized to charge such fees to deposit account no. 07-0630.

Respectfully submitted,

GENENTECH, INC.

Date: September 11, 2000

By:

Diane L. Marschang

Diane L. Marschang

Reg. No. 35,600

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So. San Francisco, CA 94080-4990

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Patent Docket P1761R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Avi J. Ashkenazi et al. Serial No.: 09/603,866 Filed: June 26, 2000 For: METHODS FOR MAKING APO-2 LIGAND USING DIVALENT METAL IONS	Group Art Unit: 1636 Examiner: To Be Assigned CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on September <u>11</u> , 2000 <i>Anna Kan</i> Anna Kan
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REQUEST FOR A CORRECTED FILING RECEIPT

Box Missing Parts
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Attached is a copy of the Official Filing Receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested. Please make the correction as follows:

For the fourth inventor's name, delete "Iphegini" and insert therefor --Iphigenia--.

For the fourth inventor's place of residence, delete "Palo Alto, CA" and insert therefor --Winston-Salem, NC--.

For the fifth inventor's name, insert --Woon-Lam-- before Susan Leung.

For the sixth inventor's place of residence, delete "San Francisco, CA" and insert therefor --Montara, CA--.

For the seventh inventor's place of residence, delete "Los Altos, CA" and insert therefor --Los Altos Hills, CA--.

At least one of the above corrections is due to applicant's error and the fee therefor under 37 CFR 1.19(h) is applicable. Please charge Deposit Account 07-0630 in the amount of \$25.00 to cover the cost.

Respectfully submitted,

GENENTECH, INC.

Date: September 11, 2000

By: Diane L. Marschang
Diane L. Marschang
Reg. No. 35,600

1 DNA Way
So. San Francisco, CA 94080-4990
Phone: (650) 225-5416
Fax: (650) 952-9881

FILING RECEIPT



OC000000005312447

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/603,866	06/26/2000	1636	1896	P1761R1	15	48	12

Genentech Inc
Attn: Diane L Marschang
1 DNA Way
South San Francisco, CA 94080

Date Mailed: 08/10/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Avi J Ashkenazi, San Mateo, CA ;
 Sarah Hymowitz, San Francisco, CA ;
 Robert F Kelley, San Bruno, CA ;
 Iphegeni Koumenis, Palo Alto, CA ;
 Susan Leung, San Mateo, CA ;
 Mark O'Connell, San Francisco, CA ;
 Roger Pai, Los Altos, CA ;
 Zahra Shahrokh, San Francisco, CA ;
 Laura Simmons, Burlingame, CA ;

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/141,342 06/28/1999

Foreign Applications

If Required, Foreign Filing License Granted 08/09/2000

Title

Methods for making APO-2 ligand using divalent metal ions

Preliminary Class

435



Data entry by : GUNTER RILEY, JOYCE

Date: 08/10/2000



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

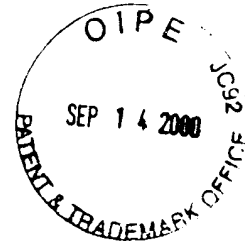
No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231



FORMALITIES LETTER



OC00000005312448

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/603,866	06/26/2000	Avi J Ashkenazi	P1761R1

Genentech Inc
Attn: Diane L Marschang
1 DNA Way
South San Francisco, CA 94080



Date Mailed: 08/10/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/18/2000 HUONG1 00000019 070630 09603866

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